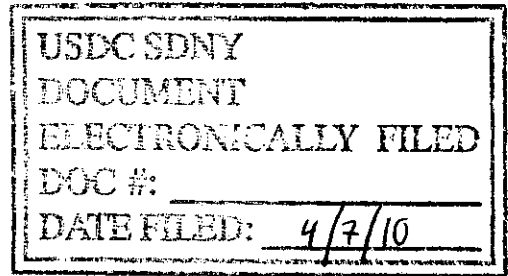


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- -x
MAX PINCIONE, :
Plaintiff, :
- against - :
LUCIANO D'ALFONSO et al., :
Defendants. :
----- -x

ORDER

09 Civ. 8335 (DC)

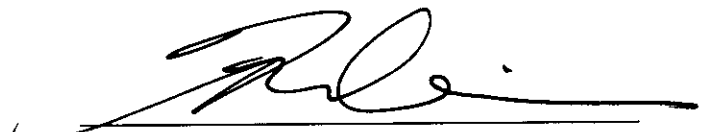
CHIN, District Judge

Plaintiff filed this action on October 1, 2009. On March 2, 2010, I advised plaintiff that if he did not file an affidavit of service with the Court attesting to service of the summons and complaint on the defendants by April 2, 2010 or show cause in writing why a further extension of the time limit for service is warranted, the above-captioned action would be dismissed without prejudice. As plaintiff has failed to file an affidavit of service with the Court or show cause in writing why an extension of time is warranted,

It is HEREBY ORDERED that the above-captioned action is dismissed without prejudice in accordance with Fed. R. Civ. P. 4(m).

SO ORDERED.

Dated: New York, New York
April 7, 2010


DENNY CHIN
United States District Judge